



**Entered on Docket  
December 31, 2009**

**Hon. Linda B. Riegle  
United States Bankruptcy Judge**

Electronically Filed on

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Deutsche Bank National Trust Company, as trustee of the Morgan Stanley Mortgage Loan Trust 2005-6AR  
09-77566

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

**In Re:**

BK-S-09-30015-1br

Robert J. Fitz and Laura Fitz

Date: 12/1/2009  
Time: 1:00 pm

## Debtors.

## **ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor Deutsche Bank National Trust Company, as trustee of the Morgan Stanley Mortgage Loan Trust 2005-6AR, its assignees and/or successors in interest, of the subject property, generally described as 1474 Lodgepole Dr., Henderson, NV 89014, and legally described as follows:

Lot SEVENTY-ONE (71) in Block TWO (2) of WHITNEY RANCH EAST UNIT 4, as shown by Map thereof on File in Book 46 of Plats, Page 3, in the Office of the County Recorder of Clark County, Nevada, and as Amended by Certificate of Amendment Recorded May 30, 1990 in Book 900530 of Official Records, Clark County, Nevada Records as Document No. 00850.

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2       **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**  
3       **give Debtors at least five business days' notice of the time, place and date of sale.**

4                   DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2009

5       Submitted by:

6       **WILDE & ASSOCIATES**

7       By: Gregory L. Wilde, Esq.

8       **Gregory L. Wilde, Esq.**  
9       Attorney for Secured Creditor  
10      208 South Jones Boulevard  
11      Las Vegas, Nevada 89107

12     APPROVED / DISAPPROVED

13     By: \_\_\_\_\_  
14      Sam Benevento  
15      1945 E. Warm Springs Road  
16      Las Vegas, NV 89119  
17      Attorney for Debtor(s)

18     Nevada Bar No: \_\_\_\_\_

19     APPROVED / DISAPPROVED

20     By: \_\_\_\_\_  
21      Yvette Weinstein  
22      6450 Spring Mtn. Rd. #14  
23      Las Vegas, NV 89146  
24      Chapter 7 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3  The court waived the requirements of LR 9021.

4  No parties appeared or filed written objections, and there is no trustee appointed in the case.

5  I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9  approved the form of this order  disapproved the form of this order

10  waived the right to review the order and/or  failed to respond to the document

11  appeared at the hearing, waived the right to review the order

12  matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14  approved the form of this order  disapproved the form of this order

15  waived the right to review the order and/or  failed to respond to the document

16 Other Party:

17  approved the form of this order  disapproved the form of this order

18  waived the right to review the order and/or  failed to respond to the document

19 Breach Order:

20  This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor